

September 9, 1959

Clifton Johnson  
Box 347  
Cedar City, Utah

Dear Cliff:

Your questions concerning the general policy we have adopted in Escalante Valley are a little difficult to answer with a hard fast rule. I believe we shall have to stick to the policy unless field conditions or other evidence indicates a change is necessary. Perhaps in any deviation from the policy we should leave it up to your discretion unless you want formal approval from this office.

Below is a listing of the answers to your specific questions:

1. Columbia Iron Mines is pumping under A26187, which is unapproved and there will have to be some steps taken to correct this situation. Hubert and I will discuss it with you next week.
2. If a user needs only a few acre feet to finish his crop over his 1959 allotment and it will not affect his 1960 operations to any great extent then your verbal okay will suffice. If the acre feet needed is a large percent of his total allotment then a request should be made as before.
3. An election may be filed on an application before the segregation or change is approved, however, we may have to hold the claim here until the change or segregation has been approved.
4. The 2 acre feet of water and the 20% of fallow as adopted for a proof requirement should be used as a help and may be deviated from if field conditions so indicate.
5. As we are operating in an area where loss of a water right would spell finish to the user and we must have proof completed on all pending applications by December 31, 1959, we must in best interest of the public allow an additional pumping period that all proofs possible can be completed.

I realize that any change from our general policy places considerable burden and responsibility on you and your crews but at present cannot see any way to put into operation any concrete policy that will fit all situations that will not seriously injure some water user.

I hope this will provide the answers you need at this time.  
We can go into more detail next week and work out the best way to  
proceed with the trouble items.

Sincerely

Donald C. Norseth  
Distribution Engineer

DCN:sd